

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO CASES
IDENTIFIED ON EXHIBIT A

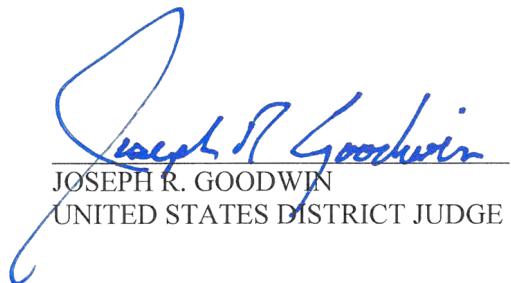
MEMORANDUM OPINION AND ORDER

On November 9, 2020, I entered an order directing plaintiffs on Exhibit A to show cause on or before December 9, 2020, why their cases should not be dismissed as to Ethicon, Inc., Ethicon, LLC and/or Johnson & Johnson for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure.

Plaintiffs identified on Exhibit A have responded to the show cause order by requesting additional time to locate the remaining plaintiffs in the cases on Exhibit A. The requests in these cases are denied. Plaintiffs' counsel in the cases on Exhibit A have had ample time to locate their plaintiffs and prosecute their cases. The court finds that plaintiffs on Exhibit A have not shown good cause for their failure to prosecute. The court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that Ethicon, Inc., Ethicon, LLC and/or Johnson & Johnson, as indicated on Exhibit A, are dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the case on Exhibit A and strike them from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party in the cases on Exhibit A.

ENTER: December 10, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

Exhibit A

MDL Case No.	Last Name	Defendants Named
2:12-cv-03394	Patterson	Ethicon, Inc., Johnson & Johnson
2:13-cv-23019	Garcia	Ethicon, Inc., Ethicon, LLC, Johnson & Johnson
2:13-cv-33443	Rasa	Ethicon, Inc., Ethicon, LLC, Johnson & Johnson